

REMARKS

A petition for a one month extension of time has today been filed as a separate paper and a copy is attached hereto.

The rejection of claim 5 for anticipation by Bacchi et al '444 is respectfully traversed. It is respectfully submitted that the examiner has not stated a *prima facie* case for anticipation of claim 5 by Bacchi because the examiner's remarks do not address how certain limitations of claim 5 might be met by the teachings of Bacchi. In particular, claim 5 recited that the pivotal center of the rotatable base and the first spindle are coaxial, i.e., both are aligned on axis Z as shown in Fig. 1 of the drawings. In contrast, element 11 of Bacchi, which the examiner equates with applicants' "rotatable base", rotates around an axis 13 whereas element 80R of Bacchi, which the examiner characterizes as "synonymous with applicants' first spindle," rotates around an axis 16R. As can be clearly seen in Fig. 2 of Bacchi et al axes 16R and 13 are offset from each other and elements 80R and 11 of Bacchi cannot be considered coaxial, as required by claim 5 here.

Secondly, claim 5 as examined defined the second motor as "rotatably driving the first spindle around the pivotal center." As noted above, the first spindle does not rotate about the pivotal center of element 11 in Bacchi. Further, element 50R of Bacchi which the examiner characterizes as the "second motor", drives forearm spindle 56R

(column 5, lines 41-43), not element 80R which the examiner characterizes as “applicants’ first spindle.” 80R is rotated by motor 52R which the examiner does not mention (column 5, lines 51-53 and column 6, lines 29 and 30).

Thirdly, claim 5 as examined and as amended here defines the controlling means as “means for controlling” two angles of rotation one of which is the angle of rotation of the first arm about the pivotal center. As noted above, in Bacchi et al what the examiner designates as the “first arm” (14R) does not rotate about the “pivotal center” and, accordingly, there is no such angle to be controlled. Accordingly, Bacchi does not suggest any equivalent of applicants’ control means.

Claim 5 has been amended for the purpose of clarification of the first two foregoing distinctions.

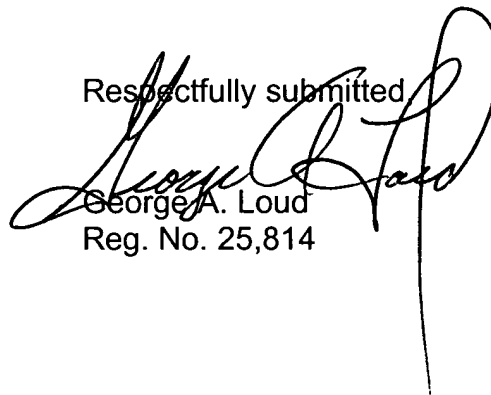
The rejection of claim 6 for obviousness over Bacchi is respectfully traversed for the reason that claim 6 depends from claim 5 with regard to the foregoing distinctions and the examiner does not state a *prima facie* case for obviousness of any modification of Bacchi which would have lead to elimination of the distinctions defined by claim 1 over Bacchi as noted above.

Finally, the rejection of claims 5 and 6 for obviousness-type double patenting is respectfully traversed for the reason that it appears to be based on a faulty premise, i.e., “because the instant claims are broader.” It is respectfully submitted that the instant

claims are narrower in that the claims of U.S. 6,764,271 do not require the first spindles to be coaxial with the pivotal center. On the contrary, the claims of U.S. 6,764,271 require that both first spindles be offset by the same distance from the pivotal center. Claims 5 and 6 here further differ from the claims of U.S. 6,764,271 insofar as the control means is defined as controlling the angle of the first arm about the "pivotal center." There is no such angle controlled by the control means as defined by the claims of U.S. 6,764,271.

In conclusion, it is respectfully requested that the examiner reconsider the rejections of record with a view toward allowance of the two pending claims.

Respectfully submitted,



George A. Loud
Reg. No. 25,814

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LORUSSO, LOUD & KELLY
3137 Mount Vernon Avenue
Alexandria, VA 22305

(703) 739-9393